

Message

From: perseverance2013@[redacted] perseverance2013@[redacted]
Sent: 3/8/2023 2:54:12 AM
To: Johnson, Laura-S [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=dea46edadaa04f2c847d3245f8f5847c-LJohns06]
CC: Edwards, Jeff [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bbbeaa6258d84ae8ae0a0c14f92114a9-Edwards, Jeff]; Thompson, BrianK [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b510f4e651cd489a8d5c6d5b2ee56d2b-Thompson, Brian]; perseverance2013@[redacted]
Subject: Robert Hammond. RE: FOIAonline
Attachments: OGIS Mediation + FOIAonline +FOIA A C +FW: FOIA Liaison Dispute Resolution. DON-NAVY-2019-002977 Appeal of FOIA Request DONFOIA-PA-1. Case Records of Appeal of FOIA Request DON 18-BD4, DONFOIA-PA Assigned Agency FOIA Case Number DON-NAVY-2018- 1.

Ms. Johnson,

Thank you for your reply.

I have addressed my FOIAonline issues with the FOIA Advisory Committee. You are on that attached email: OGIS Mediation + FOIAonline +FOIA A C +FW: FOIA Liaison Dispute Resolution. DON-NAVY-2019-002977 Appeal of FOIA Request DONFOIA-PA-1. Case Records of Appeal of FOIA Request DON 18-BD4, DONFOIA-PA Assigned Agency FOIA Case Number DON-NAVY-2018...

I understand that I do not have access to NARA requests and appeals. They gave three days' notice. That is not my issue.

As noted in my attached email the issue is:

In Ms. Johnson's March 2, 2023 presentation to the FOIA advisory Committee, Ms. Johnson stated:

"What happens to the data. Keep in mind that the partner is the custodian of their data they give us the authority to migrate their data that partner's data will live on at a different location to close the loop on our responsibility of the partners FOIAonline data we will protect and secure our copy of the departing Partners data until its ultimate demise when we dismantle the FOIAonline platform."

What does "dismantle the FOIAonline platform" mean?

I disagree with EPA's assessment of EPA's mandatory, legal requirement to preserve the unique FOIAonline case records per NARA GRS 4.2 Item 20 (which is 6+ years, but as identified here if a requester seeks case processing records for an earlier case (which is very common), the earlier case retention is extended for another 6+years (litigation also applies).

EPA must only be in legal "Possession, Custody, or Control." These original, unique workflows and case processing records, which the requester cannot download, were created within FOIAonline. All three "Possession, Custody, or Control." apply to FOIAonline records in EPA's database, which must be preserved.

Just so you know, I am a huge fan of FOIAonline and believe that your functionality should be incorporated in any agency replacement case processing systems. I stated this many times in open public meetings and written public comments. I have recommended a centralized FOIA portal and case management system integrated with

FOIA.gov with strict configuration management. Baseline should be centrally funded through OMB and free. Customization should be avoided but paid for if an agency must have it.

As to what is going on with my missing Navy FOIA requests and appeals, please get to the bottom of this. If it is an EPA issue, it may apply to others. If Navy had a role, that must be disclosed.

Thank you again.

With my deep respect,

Robert Hammond

From: Johnson, Laura-S Johnson.Laura-S@epa.gov

Sent: Tuesday, March 7, 2023 10:51 AM

To: Perseverance2013@(Ex. 5 Personal Privacy (PP))

Cc: Edwards, Jeff <Edwards.Jeff@epa.gov>

Subject: FOIAonline

Good morning Mr. Hammond,

My name is Laura Johnson, and I'm the FOIAonline Policy Lead. Our FOIAonline help desk mentioned your recent concerns when trying to access your NARA FOIA requests from your FOIAonline registered public user account. I'm reaching out to you to further assist. Additionally, we understand that you have some follow up questions regarding the presentation that my colleague, Jeff Edwards, and I provided at the FOIA Advisory Committee meeting Thursday of last week. We can arrange for a teams call if you have questions or issues regarding the dismantling of the FOIAonline application. Please let us know. And I also wanted to note that we have a help desk ticket currently in progress regarding your Navy data.

As you know, FOIAonline will decommission on September 30, 2023. As participating FOIAonline federal agencies (Partners) award contracts to vendors to stand up replacement FOIA case management solutions, Partners will begin leave our system. During a Partner's offboarding from our application, we provide that Partner with an export copy of their data. Once a Partner's final FOIAonline data migration and offboarding is complete, access to FOIA requests and responses specific to those departed Partners will no longer be accessible within FOIAonline, including in FOIAonline registered public user accounts.

At this time, a small handful of Partners have already left -- NARA being one of them. Although you won't be able to access NARA data via FOIAonline, as mentioned above, NARA's FOIAonline data still exists with NARA, and as the custodian of that data, they will follow the records management schedule for the ultimate disposition of their data. FOIAonline is merely a repository for copies of that data during the time that they were participating FOIAonline Partners. Our help desk mentioned that you are eager for us to restore access to your NARA requests housed in FOIAonline. Those requests still exist with NARA and we encourage you to reach out to them for that .

If you would like to ensure you have copies of FOIAonline information easily available to you during this transition, we encourage you to download or save that information at your earliest convenience. Once a Partner's final data migration and offboarding is complete, the Partner's FOIAonline data will no longer be accessible through FOIAonline but lives on with the respective Partner, and we encourage you to reach out to them.

Sincerely,
Laura

Office of Mission Support (OMS)
Office of Enterprise Information Programs (OEIP)
U.S. Environmental Protection Agency